



CANNON BUILDING
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STATE OF DELAWARE
MANUFACTURED HOME INSTALLATION BOARD

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PUBLIC MEETING MINUTES:	The Manufactured Home Installation Board
MEETING DATE AND TIME:	Monday, February 8, 2017 at 9:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B , second floor of the Cannon Building
MINUTES FOR APPROVAL:	

MEMBERS PRESENT

Keith Rudy, President
Richard Snyder, Vice President
John Starke, Professional Member
Adam Rones, Professional Member
Barbara Williams, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Kevin Maloney, Deputy Attorney General
Bryan Stone, Administrative Specialist II
Nicole Williams, Administrative Specialist III

MEMBER ABSENT

Margaret Harper, Public Member
Floyd Ridgway, Professional Member
Valarie Lacey, Public Member

ALSO PRESENT

Jennifer Allen, Association Executive, First State Manufactured Housing Association
Gina Schulties, Association Executive, First State Manufactured Housing Association

CALL TO ORDER

Mr. Rudy called the meeting to order at 9:02 a.m. Mr. Snyder moved to amend the agenda to add review of October minutes, seconded by Ms. Williams. By unanimous vote, the motion carried.

REVIEW OF MEETING MINUTES

The Board reviewed the minutes of the October 10, 2016 meeting. Mr. Starke made a motion to approve the minutes, seconded by Mr. Snyder. By unanimous vote, the motion carried.

UNFINISHED BUSINESS

Review of Draft Rules and Regulations – Updated Training (HUD) and Continuing Education

Mr. Maloney advised the Board of the changes to Rule 4.0 regarding education. Mr. Maloney stated that the language for Rule 4.1.1, specifically the Certified HUD Training, to strike 15 hours and replace with 12 hours, a reduction in hours. Jennifer Allen addressed the Board regarding the initial training will be increased as to 12 hours of training, but the continuing education will remain the same as 10 CE hours. Mr. Rudy advised that this change is to allow for reciprocal licensure in Delaware as other states are moving to the 12 hour training.

Mr. Starke moved, seconded by Mr. Rones, to approve the proposed rules changes for the HUD training. By unanimous vote, the motion carried.

Mr. Rudy stated for the record that he believes this will potentially increase the availability of licensees, thereby improving access to licensed installers for the public. This new regulation change will allow for Delaware to conform to other surrounding states. It was determined that there will not be a detriment to the quality of training or the licensees' abilities to execute their duties.

Review and Discussion of the Board's Crimes List

Mr. Rudy stated that every Board has been tasked with reviewing their crimes list to remove any crimes that are not truly related to the practice of the profession. Mr. Maloney advised that he reviewed the crimes list and that numerous crimes had been repealed and the crimes that are not struck through will remain on the crimes list. Mr. Maloney suggested proposing to couple this change with the HUD training change to the regulations for one public hearing to be noticed in the registrar of regulations for March 1 for the April meeting. Mr. Snyder moved, seconded by Mr. Starke, to approve the proposed changes to the regulations and have Mr. Maloney publish the proposed changes to the Registrar of Regulations for March 1. By unanimous vote, the motion carried.

NEW BUSINESS

Review of Applications for Inspectors

The Board reviewed the application for Mark Hastings by reciprocity as an inspector. Mr. Starke moved, seconded by Mr. Snyder, to approve for licensure. By unanimous vote, the motion carried.

The Board reviewed the application for Bruce Slody by reciprocity as an inspector. Mr. Starke moved, seconded by Mr. Rones, to approve for licensure. By unanimous vote, the motion carried.

The Board reviewed the application for Daniel Twardus by reciprocity as an inspector. Mr. Starke moved, seconded by Mr. Snyder, to approve for licensure. By unanimous vote, the motion carried.

Review of Applications for Installers

Philip Fifer – Mr. Rones moved, seconded by Mr. Snyder, to approve for licensure. Motion carried.

Review of 2016 Audits

The Board reviewed the audits that were submitted for compliance. See attached list at the end of the minutes.

During the audit review the Board had questions regarding Michael Van Orden's audit. The Board discussed his employment verification since he is no longer employed by the agency as an inspector but was employed at the time of the audit period. Mr. Maloney advised of 24 Del Code §4432 Certification requirements which states: The Board may issue a manufactured home installation inspector's certificate to any full-time, part-time, or casual/seasonal employee of an authorized inspection agency who has completed a certification course established or approved by the Board.

After discussion, Mr. Starke moved, seconded by Ms. Williams, to approve Michael Van Orden's audit. By unanimous vote, the motion carried.

The Board reviewed the remaining audits. Mr. Snyder moved, seconded by Mr. Starke to approve remaining licensees' audits for compliance. By unanimous vote, the motion carried.

CORRESPONDENCE

There was no correspondence for review or discussion.

OTHER BUSINESS BEFORE THE BOARD (for discussion only)

Mr. Rudy advised the Board of third party inspections that are not employed by certified inspection agency or don't have inspectors with Delaware certification by the Board would be considered unlicensed practice. Mr. Rudy inquired about the disposition of the Board on the matter. Mr. Rudy advised to submit a formal complaint to the Division for unlicensed practice against this company located in Millsboro. Mr. Starke inquired if all of Kent County inspectors are licensed and Ms. Allen confirmed.

Mr. Rudy suggested sending advice to all municipalities that all inspectors must be certified in DE to practice or file a complaint. Mr. Maloney stated that if there is clear knowledge of a violation that the Board Liaison can file a complaint with the Division on behalf of the Board.

Mr. Rudy strongly felt the need to just send a letter to the town of Millsboro stating that they believe that there is a violation of unlicensed inspections being performed. Mr. Rones suggested sending a letter to the town first before filing a formal complaint. Mr. Starke moved, seconded by Mr. Rones to send a letter to the town before filing a formal complaint. By unanimous vote, the motion carried.

For further discussion Mr. Rudy stated the Rules and Regulations do not have an employment requirement. Mr. Rudy inquired about the repercussions of allowing an individual to work for any random business entity offering third party inspections. He further advised that there are third party entities that offer inspections and inquired if a Delaware certified inspector can work for an agency that is not a certified agency or work as a sole proprietor for himself.

Mr. Maloney read the Board's statute regarding the definition of an "authorized inspection agency, which states: "Authorized inspection agency" means a state, county, or municipal administrative department or agency, or other instrumentality of the State of Delaware, that has been assigned the function of inspecting manufactured home installations to ensure compliance with this chapter and the Board's rules and regulations or inspectors hired by the State, county or municipal administrative department or agency on a contract basis to perform inspections. The Board further discussed the definition and what constitutes an "authorized inspection agency." Mr. Rudy also discussed third party contracts and how that affected licensure if the contract was lost. Mr. Rudy suggested adding language to Rules and Regulations to modify a corporation's license in the hopes of helping third party, non-governmental, and non-state companies perform inspections. Mr. Maloney suggested that if a licensee has a license or certificate, he or she is compliant until expiration date and stated to the Board that that is a constitutionally protected property right that cannot be taken away. Mr. Rudy stated the board is denying the licensee's ability to get relicensed should they lose their job or contract. The Board agreed that no changes will need to be made at this time.

PUBLIC COMMENT

Ms. Allen addressed the Board and inquired if First State can now move forward with changing the initial training to the new proposed regulation. Mr. Maloney and Mr. Rudy advised that they cannot change the training until the proposed regulations have been accepted in a final order after the rules and regulations hearing that will be noticed for the April 10 meeting. Mr. Maloney further advised that the best case scenario would be that the proposed regulations would be finalized and published by July 11, 2017.

NEXT SCHEDULED MEETING

The next meeting is scheduled for Monday, April 10, 2017 at 9:00 a.m. in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business before the Board, Mr. Snyder made a motion, seconded by Ms. Williams, to adjourn the meeting. By unanimous vote, the motion carried. The meeting adjourned at 10:26 a.m.

Respectfully submitted,

Bryan Stone
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.

2016 MHI Audits Reviewed and Approved 2/8/17

McGregor, Michael P.	H3-0000113	Manufactured Home Inspector
Passwaters, Kelly R	H3-0000134	Manufactured Home Inspector
Schulties, Gina	H3-0000112	Manufactured Home Inspector
Snyder, Richard	H3-0000093	Manufactured Home Inspector
Van Orden, Michael C	H3-0000141	Manufactured Home Inspector
Arsenich, Stephen J.	H2-0000055	Manufactured Home Installer
Bailey, Donald F	H2-0000029	Manufactured Home Installer
Bailey, Frank J	H2-0000025	Manufactured Home Installer
Blanton, Archie D	H2-0000010	Manufactured Home Installer
Cox, Brett M.	H2-0000044	Manufactured Home Installer
Dorman, Daniel	H2-0000015	Manufactured Home Installer
Dorman, Kevin L	H2-0000007	Manufactured Home Installer
Fifer, Andrew P.	H2-0000052	Manufactured Home Installer
Haldeman, Daniel L	H2-0000034	Manufactured Home Installer
Haldeman, Melvin T	H2-0000006	Manufactured Home Installer
Mariani, Wayne A	H2-0000005	Manufactured Home Installer
Marshall, Joshua L	H2-0000033	Manufactured Home Installer
McGinnis, Martia A	H2-0000061	Manufactured Home Installer
Reed, Nelson Bryan	H2-0000037	Manufactured Home Installer
Rones, Adam Lee	H2-0000057	Manufactured Home Installer
Russell, Vernon E., Sr.	H2-0000042	Manufactured Home Installer
Sensenig, Justin M.	H2-0000059	Manufactured Home Installer
Shanefelter, Robert W., Sr.	H2-0000030	Manufactured Home Installer
Starke, John K.	H2-0000056	Manufactured Home Installer
VanDrunen, Brian S	H2-0000012	Manufactured Home Installer
VanDrunen, Cornelius	H2-0000009	Manufactured Home Installer
Webster, Todd K.	H2-0000049	Manufactured Home Installer